

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : David Szymanski

TITLE : WOOD CUTTING SAW CHAIN AND  
REPLACEEMNT CUTTING  
MEMBERS

APPLICATION NO. : 10/780,323

FILED : 02/17/2004

CONFIRMATION NO. : 1107

EXAMINER : Clark F. Dexter

ART UNIT : 3724

LAST OFFICE ACTION : September 10, 2010

ATTORNEY DOCKET NO. : INDI 200002US01  
Cleveland, OH 44114  
December 10, 2010

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

☐ Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences

from the last decision of the Examiner mailed .

☒ Applicant hereby requests reinstatement of the previously filed appeal, mailed August 6, 2008 pursuant to 37 C.F.R. §41.31 and appeals from the last decision of the Examiner mailed **February 6, 2008**, rejecting claims 1-3, 5-10, 12-16, 18-20, 23, and 24.

The items checked below are appropriate.

1. **STATUS OF APPLICANT**

☒ Applicant(s) claim(s) small entity status. See 37 C.F.R. §1.27. Therefore, the fee is reduced by half, and the resulting fee is listed below.

2. **FEES ASSOCIATED WITH FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☐ Large entity: \$540

☐ Small entity: \$270

☒ Amount previously paid: \$255 (if reinstating previous appeal)

Total Notice of Appeal fee: \$0

3. **TOTAL FEES DUE**

Total notice of appeal fee: \$0

Extension of time fee: \$0

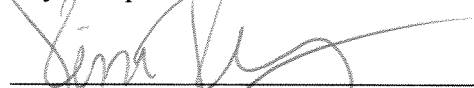
**TOTAL AMOUNT DUE: \$0.00**

4. **METHOD OF PAYMENT**

☒ No fees are believed to be due. If, however, there are fees due, the Commissioner is hereby authorized to charge any fees that may be required to Deposit Account No. 06-0308.

Respectfully submitted,

Fay Sharpe LLP

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Scott A. McCollister, Reg. No. 33,961

Kimberly A. Textoris, Reg. No. 64,954

The Halle Building, 5th Floor


1228 Euclid Avenue

Cleveland, Ohio 44115-1843

216.363.9000

December 10, 2010

Date

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input checked="" type="checkbox"/> transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.	
<input type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
Express Mail Label No.:	Signature: 
Date: December 10, 2010	Name: Barbara Brazier